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Draft of 9 April 1947.

A BILL FOR THE ESTABLISHMENT OF A CENTRAL INTELLIGENCE AGENCY

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Sec. 1 (a) Findings and Declaration:-----

In enacting this legislation, it is the intent of Congress to provide a comprehensive and continuous program which will effectively accomplish the national intelligence objectives of the United States. In order to achieve these objectives, it is necessary to establish a permanent, centralized, intelligence agency so that all the foreign intelligence sources and facilities of the Government may be utilized to the fullest extent in the production of foreign intelligence, and so that their greatest potentialities may be realized most efficiently and economically, with a resultant elimination of unproductive duplication and unnecessary overlapping of functions.

Accordingly, it is hereby declared to be the policy of the people of the United States that in order to strengthen the hand of the Government in formulating national policies and conducting relations with other nations, and subject at all times to the paramount objectives of assuring the common defense and security, the foreign intelligence activities, functions, and services of the Government be fully coordinated, and, when determined in accordance with the provisions of this Act, be operated centrally for the accomplishment of the national intelligence objectives of the United States.

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ORGANIZATION

Sec. 2 (a). National Security Council.

(1) The National Security Council shall:

(a) Determine policies and objectives for, and supervise and direct, the Central Intelligence Agency, hereinafter provided for, in the planning, development and coordination of the foreign intelligence activities of the departments and agencies of the Government, as well as in the conduct of those foreign intelligence operations performed by the Central Intelligence Agency, in such a manner as to assure the most effective accomplishment of the national intelligence objectives.

(b) Have the right to transfer responsibilities and authorities in the field of foreign intelligence between the departments and agencies of the Government.

(c) Approve such policies which, in relation to the foreign intelligence activities of the United States, insofar as they affect the national defense and security, shall govern the intelligence activities of the various departments and agencies of the Government.

Sec. 2 (b). Central Intelligence Agency.

(1) There is hereby established a Central Intelligence Agency (hereinafter called the Agency), with a Director of Central Intelligence who shall be the head thereof, to be appointed from civilian or military life by the President, by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $15,000 per annum.

(2) There shall be a Deputy Director of the Agency, appointed from civilian or military life by the President, by and with the advice and consent of the Senate. The Deputy Director shall receive compensation at the rate of $14,000 per annum. The Deputy Director shall be authorized to sign such letters, papers, and documents,

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and to perform such other duties as may be directed by the Director of Central Intelligence, and to act as the Director in the absence of that officer, or in the case of a vacancy in the office of Director.

(3) Any officer of the Department of State, or of the Foreign Service of the United States, and any commissioned officer of the United States Army, the United States Navy, the United States Air Force, Coast Guard, Coast and Geodetic Survey, or Public Health Service, may be assigned to or detailed for duty with the Agency; and such service shall in no way affect any status, office, rank, or grade he may occupy or hold in the Department of State, the Foreign Service of the United States, the United States Army, the United States Navy, the United States Air Force, Coast Guard, Coast and Geodetic Survey, or Public Health Service, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, notwithstanding the provisions of Title 10 U.S. Code, Sec. 576 and Public Law 724, 79th Congress, approved August 13, 1946, and entitled, "An Act to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration," or any other law pertaining to such pay and allowances. Any such officer of the Department of State, the Foreign Service of the United States, or commissioned officer on the active list in any of the above-mentioned services, shall receive, while serving in a position established in Sec. 2(b) of this Act, the pay of the State Department, the Foreign Service, or the military or other pay and allowances payable to an officer of his grade and length of service, and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the difference between the salary set forth in such position in Sec. 2(b) of this Act and the amount of such State Department, Foreign Service, or military or other pay and allowances.

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(4) Notwithstanding Section 2 of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U.S.C. 62), or Section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U.S.C. 58,59), or Section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U.S.C. 59a), the Director of Central Intelligence may appoint to, and employ in any civilian office or position in the Agency, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Air Force, Coast Guard, Coast and Geodetic Survey, and Public Health Service. The retired status, office, rank, and grade of retired commissioned officers, or retired warrant officers, so appointed or employed, and any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Agency or the receipt of the pay thereof.

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FUNCTIONS

Section 3. Functions of the Central Intelligence Agency.

(a) In order to assure the most effective accomplishment of the national intelligence mission of the United States, the Agency shall, under the supervision and direction of the Council:

(1) Develop and recommend to the Council establishment of overall policies, plans, requirements, objectives and procedures, including training in matters connected with national intelligence, to assure the most effective accomplishment of the national intelligence objectives and to implement the provisions of this Act:

(2) Coordinate such of the foreign intelligence activities of the departments and agencies of the Government as relate to the national defense and security;

(3) Give timely evaluation, correlation and interpretation to foreign intelligence information;

(4) Disseminate national intelligence to the President, the Council, and appropriate departments and agencies of the Government.

(5) Perform by any and all means deemed effective such foreign intelligence services of common concern as the Council determines can best be performed, or be more efficiently or economically accomplished, by the Agency;

(6) Be responsible for taking measures to protect sources and methods used in the collection and dissemination of foreign intelligence information received by the Agency;

(7) Perform such other functions and duties relating to national intelligence as the President or the Council may direct;

(b) The responsibility and authority of the departments and agencies of the Government to collect, evaluate, correlate, interpret and disseminate departmental intelligence shall not be affected, except to the extent that the Council may relieve them of such responsibility and authority pursuant to the provisions of Sec. 2(a) of this Act.

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(c) As required in the carrying out of the provisions of this Act, there will be made immediately available on a continuing basis to the Agency all intelligence, information, and such facilities as may be necessary, in the possession of the various departments and agencies of the Government.

(d) To the extent recommended by the Council, the intelligence operations of the departments and agencies of the Government shall be open to inspection by the Agency in connection with its planning functions.

(e) The Agency shall have no police, subpoena, or law enforcement powers or functions, nor shall it have any functions concerning the internal security of the United States, except as specifically authorized by Sec. 3(a)(6) of this Act.

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General Authority

FUNCTIONS

Section 4. In the performance of its functions, the Central Intelligence Agency is authorized to:

(1) Procure necessary services, supplies and equipment without regard to the provisions of Section 3709, Revised Statutes (41 U.S.C. 5), as amended, upon certification by the Director, or an official designated by him for that purpose, that such action is necessary in the interest of the common defense and security or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purpose;

(2) Transfer to and receive from funds available to other departments or agencies of the Government such sums as may be authorized by the Director of the Bureau of the Budget, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities authorized in this Act, and any other department or agency of the Government is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law concerning transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this Act without regard to limitations of other appropriations;

(3) Apply the provisions, in the Director's discretion and under such regulations as he may prescribe, of Sections 901, 911-913, 931-933 and 935-943 of Public Law 724, 79th Congress, 2nd Session, to employees assigned to permanent duty stations outside the continental United States;

(4) Reimburse other Government departments and agencies for services of personnel assigned to the Agency, and other departments and agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

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(5) Exchange funds without regard to Section 3651 Revised Statutes (31 U.S.C. 543);

(6) Authorize couriers designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security; and

(7) Notwithstanding the provisions of Section 6 of the Act of August 24, 1919 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his absolute discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

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APPROPRIATIONS

Section 5. Appropriations:----

(a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, including

(b) Personal services and rent at the seat of Government and elsewhere; preparation and transportation of the remains of officers and employees who die abroad or in transit, while in dispatch of their official duties, to their former homes in this country or to a place not more distant for interment, and for ordinary expenses of such interment; rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices including telegraph and teletype equipment; purchase, maintenance, operation, repair and hire of passenger motor vehicles and aircraft, and vessels of all kinds; printing and binding; purchase, maintenance, and cleaning of firearms.

(c) The Acts appropriating such sums may appropriate specified portions thereof which may be expended, (A) without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service; (B) for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

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SEPARABILITY OF PROVISIONS

Section 6. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

Section 7. This Act may be cited as "The Central Intelligence Agency Act of 1947."

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